

REMARKS

In the Official Action of January 12, 2006, claims 1, 6, 7, 9 and 21-22 were rejected under 35 U.S.C. § 103(a), as obvious over Kajikawa et al. (U.S. Patent No. 5,478,879) in view of Harada et al. (U.S. Patent No. 6,150,469). This ground of rejection is respectfully traversed.

The Examiner states that the Kajikawa et al. reference discloses all aspects of the present invention, including the use of an underneutralized superabsorbent composition in an absorbent core of the absorbent article, but remains silent as to the amount of hydrotalcite present in the superabsorbent composition. The Harada reference has been additionally cited as disclosing the use of hydrotalcite in a superabsorbent composition.

The Examiner states that Harada discloses that the superabsorbent polymer and hydrotalcite are present in a ratio of from 1:1 to 1:10 as stated in the claims. In support of this statement, the Examiner has cited col. 17, lines 7-14 of Harada.

Applicant has carefully reviewed the Harada reference in light of the Examiner's comments. Harada discloses the use of a denaturing agent for the purpose of reacting with the reactive groups of the polymer. Specifically, Harada states that the denaturing agent is an agent used to crosslink the polymer. See col. 6, lines 3-15 of the reference. The clay used in Harada is for the purpose of formulating the denaturing agent into a powdered form, not for neutralizing the polymer. Similarly, col. 17, lines 7-14 of Harada refers to the relative proportions of polymer and denaturing agent used in the composition, and not the ratio of polymer and hydrotalcite. Accordingly, applicant's position remains that the weight ratio of superabsorbent polymer and hydrotalcite is not disclosed in any of the cited references.

In addition to the foregoing, applicant respectfully submits that the claims of this invention define compositions and articles that are unexpectedly superior to the corresponding compositions and articles of the prior art. In particular, the Examiner's attention is directed to the Examples section of the application, and particularly Example 1, which compares superabsorbent compositions having 35% of the functional groups in free acid form with superabsorbent polymers having 60% of the superabsorbent polymer in free acid form. None of the references recognize or identify any such distinction

regarding the relative amount of free acid groups present in the superabsorbent polymer, and the effect of this parameter on the Absorption Under Load (AUL) of the absorbent article. Accordingly, the references relied upon by the Examiner fail to teach or suggest each and every limitations of the claimed invention as legally required for an obviousness rejection.

Claim 2 has been rejected under 35 U.S.C. 103(a) as being obvious over Kajikawa et al. in view of Harada et al. and further in view of Jones, Sr. (U.S. Patent No. 3,794,034). This ground of rejection is traversed.

The Jones, Sr. reference has been cited as disclosing an absorbent article having the particular pH range claimed in present claim 2. The Examiner further states that reference discloses that this pH range is useful for inhibiting bacterial growth, and as a result it would be obvious to use this pH range in the present invention.

Notwithstanding the disclosure of pH ranges, applicant points out that Jones fails to remedy the shortcomings of the Harada reference regarding the ratio of polymer and hydrotalcite as pointed out above. Accordingly, any combination of the foregoing references would still fail to teach or suggest the invention as presently claimed.

Claims 10-12, 17-18, 20 and 23-24 stand rejected under 35 U.S.C. 103(a) as obvious over Kajikawa et al. in view of Harada et al. and Masaki et al. (U.S. Patent No. 5,821,179). This ground of rejection is respectfully traversed.

The Examiner states that the Kajikawa et al. reference teaches the use of the present compositions in a diaper, but fails to disclose the actual construction of the diaper. Masaki et al. has been cited as disclosing the diaper construction, the structure of the absorbent core comprising a mixture of fluff pulp and a superabsorbent polymer, and the recognition that such a mixture reduces gel blocking.

Applicant responds that the inventive features of the present invention do not reside solely in the structure of the diaper, and that Masaki et al. fails to remedy the deficiencies of the Kajikawa et al. and Masaki et al. references as noted above.

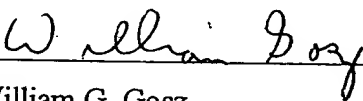
Claim 13 stands rejected under 35 U.S.C. 103(a) as being obvious over Kaijawa et al., Harada et al. and Masaki et al., in view of Jones, Sr. This ground of rejection is also traversed.

Jones, Sr. has been cited for its disclosure of the pH range disclosed in instant claim 13. As stated above, the Jones fails to remedy the shortcomings of the remaining references, particularly with respect to the relative proportions of polymer and hydrotalcite used in the composition of the absorbent core of the garment, as well as the relative amount of free acid groups present in the superabsorbent polymer.

In view of the aforementioned facts and reasons, the present application is now believed to overcome the remaining rejections in this application, and to be in proper condition for allowance. Applicant submits that the above-identified amendment does not raise any additional issues or require any further consideration on the part of the Examiner. Accordingly, entry of the foregoing amendment, and reconsideration and withdrawal of the rejection, is respectfully solicited. The Examiner is invited to contact the undersigned at the telephone number listed below to discuss any matter pertaining to the status of this application.

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Respectfully submitted,


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